

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
) Criminal No. 04-30021-MAP
)
)
)
v.)
)
)
)
LUIS H. RAMOS)
 Defendant.)

MEMORANDUM PURSUANT TO LOCAL RULE 116.5

The United States of America, by and through its undersigned attorneys hereby files this memorandum. The government faxed a draft to Vincent A. Bongiorni, Esq., counsel for defendant Calvanese, on September 24, 2007.

1. There are no outstanding discovery issues not yet presented or resolved by the Court.
2. The defendant has not requested discovery of expert witnesses under Fed. R. Crim. Pro. 16(a)(1)(E).
3. The parties do not anticipate providing additional discovery as the result of future receipt of information.
4. The defendant does not intend to raise a defense of insanity or public authority.
5. The government has requested notice of alibi by the defendant and there has been no response by the defendant.
6. The defendant may file a motion to sever, dismiss, or suppress, or any other motion requiring a ruling by the District Court before trial pursuant to Fed. R. Crim. Pro. 12(c).

7. It is not necessary to schedule any matter in the case other than a Final Status Conference.

8. The parties are not currently engaging in plea negotiations.

9. The parties agree that there are periods of excludable delay. The parties agree that the time frame from initial appearance, August 14, 2007 through August 28, 2007 is excludable under Local Rule 112.2(A)(1).

The time between August 29, 2007 and September 24, 2007 is not excludable. Therefore, as of the day of the Status Conference on September 25, 2007, 27 days have run and 43 days remain on the Speedy Trial clock.

10. In the event that a trial is necessary the trial will last approximately 5 days.

11. A date convenient with the Court should be established for a Final Status Conference.

Filed this 24th day of September, 2007.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

/S/ Todd E. Newhouse _____
TODD E. NEWHOUSE
Assistant United States Attorney

On behalf of defendant Ramos:



VINCENT A. BONGIORNI, ESQ.
Counsel for defendant Ramos

CERTIFICATE OF SERVICE

Hampden, ss.

Springfield, Massachusetts
September 24, 2007

I, Todd E. Newhouse, Assistant U.S. Attorney, do hereby certify that I have served a copy of the foregoing, via ECF to all counsel of record.

/s/ Todd E. Newhouse
TODD E. NEWHOUSE
Assistant U.S. Attorney